



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

ELECTRONIC MAIL
CONFIRMATION OF EMAIL RECEIPT REQUESTED

Mr. Travis Dobson
Chemstar Corporation
120 West Interstate Parkway, Suite 100
Lithia Springs, Georgia 30122
tdobson@chemstarcorp.com

Re: Chemstar Corporation
Opportunity to Show Cause
Violation of Federal Insecticide, Fungicide and Rodenticide Act

Dear Mr. Dobson:

The U.S. Environmental Protection Agency has reason to believe that Chemstar Corporation (hereinafter Chemstar) may have violated provisions of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (FIFRA), 7 U.S.C. § 136 *et seq.*, as set forth below.

On March 15, 2017, an authorized representative of the EPA conducted an inspection at Chemstar located at 120 West Interstate Parkway, Suite 100, Lithia Springs, Georgia 30122 to determine compliance with FIFRA. The inspection revealed that the labels for the pesticide products Chemstar Foam San (EPA Reg. No. 10324-159-46597), Q-San 7.5 (EPA Reg. No. 10324-81-46597), Q-San 10.0 (EPA Reg. No. 10324-117-46597) and Neutral Restroom Cleaner Concentrate (EPA Reg. No. 10324-113-46597) did not correspond with the most current EPA approved stamped pesticide label. The inspection revealed the following discrepancies:

- The bin label collected for the pesticide product Chemstar Foam San more closely resembled the EPA stamped approved labels from 2013. Specifically, under the Precautionary Statement the label added "Keep out of Reach of Children", under Storage and Disposal and Directions for Use the label did not include the most current information.
- The bin label collected for the pesticide product Q-San 7.5 stated the Brand Name of Product as Q-San 7.5 whereas the approved Brand Name on the EPA approved label is Q-San 7.5-M. Further, the ingredient statement does not match the master label, specifically, on the master label the active percentage for Alkyl is 3% whereas on the label collected it is 2.25%.
- The bin label collected for the pesticide product Q-San 10.0 more closely resemble the EPA stamped approved labels from 2013. Specifically, the Brand Name of Product was listed as Q-San 10 whereas the approved Brand Name is Q-San 10.0-M, the Environmental Hazards section did not match the most current approved label, the collected label added a Physical or Chemical Hazards section, under Storage and Disposal and Directions for Use the label did not include the most current information.

- The bin label collected for the pesticide product Neutral Restroom Cleaner Concentrate did not include a First Aid Section.

Pursuant to Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), it is unlawful for any person in any State to distribute or sell to any person any pesticide which is misbranded. The EPA Region 4 alleges that Chemstar may have violated FIFRA by selling and distributing the misbranded pesticide products Chemstar Foam San, Q-San 7.5, Q-San 10.0 and Neutral Restroom Cleaner Concentrate on five occasions each.

Pursuant to Section 14(a) of FIFRA, 7 U.S.C. § 136l(a), violations are subject to a civil penalty of up to \$20,528 for each offense. This letter serves to notify you of the opportunity to show cause why the EPA should not take enforcement action with respect to these violations. This opportunity to meet with the EPA personnel may either be done by video conference or by telephone conference on a mutually convenient date. Please contact Ms. Kimberly Tomczak at (404) 562-8987 within 14 calendar days of the date of this letter to schedule the meeting.

The EPA developed an information sheet entitled “U.S. EPA Small Business Resources” to help small businesses understand federal and state environmental laws and rights under the Small Business Regulatory Enforcement Fairness Act. The information sheet can be found on the internet at: <https://www.epa.gov/compliance/small-business-resources-information-sheet>. If you do not have internet access and would like to request the document in hard copy, please contact Ms. Tomczak at the phone number above.

Sincerely,

Alan A. Annicella
Chief
Pesticides Enforcement Section